



PLANNING COMMISSION/CITIZEN SIGN CODE COMMITTEE SIGN CODE REVISIONS JOINT SUBCOMMITTEE

**Monday October 17, 2016, 3:00 P.M.
Pima County Public Works Building - Conference Room C
201 North Stone Avenue
Tucson, Arizona 85701**

Legal Action Report and Meeting Minutes

1. Roll Call

Meeting was called to order by Jan Waukon, facilitator, at 3:08 p.m.

Present:

Jude Cook	CSCC, City Manager's Office
George Holguin	CSCC, City Manager's Office
Kathryn McLaughlin	CSCC, Ward 5
Shannon McBride-Olson	PC, Ward 2
Curt Ench	PC, Ward 3

Staff Members Present:

Russlyn Wells, PDSD, Zoning Administrator
Daniel Bursuck, PDSD, Lead Planner
Rebecca Ruopp, PDSD, Principal Planner
Jim Mazzocco, City Manager's Office, Zoning Examiner
Piroschka Glinsky, City Attorney's Office, Principal Assistant City Attorney
Stacy Stauffer, City Attorney's Office, Principal Assistant City Attorney
Albert Elias, City Manager's Office, Assistant City Manager
Jan Waukon, Consultant Serving as Facilitator

2. Welcome / Introductions

Albert Elias, Assistant City Manager, gave background information and an overview of the Mayor and Council's direction for revising the Sign Code. Daniel Bursuck, Planning and Development Services Department (PDSD), introduced staff and asked subcommittee members to introduce themselves.

3. Review of Mayor and Council directive

Daniel Bursuck, PDSD, gave a presentation on the directive from Mayor and Council and the roles of staff, the subcommittee, and the facilitator.

4. Review of Subcommittee's protocol for meetings.

Jan Waukon, Consultant serving as Facilitator, explained the protocol for the meeting. She then went over the meeting agenda, how the subcommittee would be reviewing the Sign Code Revisions one section at a time, and how public comments would be collected and considered. Daniel Bursuck, PDSD, followed with an explanation of how information would be disseminated. He stated the

agenda would be posted online and emailed to the subcommittee the Wednesday prior to each meeting. Additionally on the Friday prior to each meeting, staff would post online the suggested edits based on the subcommittee's suggestions, public comments received, and the Legal Action Report and Minutes from the previous meeting. Also on the Friday prior to each meeting, an email would be sent to the subcommittee and to the Sign Code email notification list, notifying recipients of the items posted on the website.

5. Call to the audience

Mark Mayer of Scenic Arizona commented on the Sign Code Revision Project as a whole, and the particular sections to be reviewed at the meeting. He said he thought the concentration should be on the Reed related issues and talked about how the proposed revisions treat commercial and non-commercial speech.

Bonnie Paulos of Tucson Residents for Responsive Government (TRRG) spoke about the process for review of the Preliminary Draft of the Sign Code Revisions. She stated TRRG was dismayed with the public to date and was calling for an open process that allows public input.

Meg Weesner of the Sierra Club spoke to the need to protect Tucson's scenic character, and stated that the organization has concerns that the changes proposed would make the area less aesthetically pleasing.

6. Staff presentation on background of revision effort

Jim Mazzocco, City Manager's Office, gave a presentation on the *Reed v. Town of Gilbert* Supreme Court case and the background of the Sign Code Revision Project.

Discussion held.

No action taken.

7. Introduction of the following sections of preliminary draft sign code revisions for review and discussion by subcommittee.

a. Purpose and Applicability (Section 7A.1 in Preliminary Draft; Sections 3.1-3.4 in current Sign Code) The following comments were made by the subcommittee members:

- Commissioner McLaughlin discussed the text "promote equity between businesses and other sign users" in the revised version, 1st line. Comment: Said she didn't think this text belongs in the purpose statement as it blends commercial and non-commercial speech.
- Commissioner McLaughlin suggested removing the word "prominent" from "protect prominent scenic views" in the 3rd line. Additionally, she would like something added about protecting dark skies and something more about tourism.

- Commissioner McBride Olson stated the language about beauty and protecting our desert environment, etc. that appears in the Purpose statement of the existing Sign Code should be included in the proposed Purpose section. She said that this language is about what makes Tucson special and should remain.
- Commissioner Ench discussed the third item in the list and suggested that the word "businesses" be deleted, and just the word "individual" retained. The safety concerns should be related to the general community vs. individual sign user.
- Commissioner Cook stated he is interested in Jim Mazzocco's take on the "equity" statement. Additionally he is not in agreement with changing the 3rd line as proposed by Commissioner Ench at this point.
- Jim Mazzocco, City Manager's Office, stated that a judge will read the purpose statement, so it is important that the purpose statement connects to the other parts of the Sign Code.
- Commissioner McBride Olson stated we need to do more to guide the Sign Code to address aesthetics.
- Commissioner Ench clarified that we need to pay attention to individual's rights vs. the community's with regard to safety from objectionable clutter and aesthetics.
- Commissioner McLaughlin suggested adding a comma after the word "signs" in the third statement.

~~b. Interpretations and Substitution Clause (Section 7A.2 in Preliminary Draft; Sections 3.4-3.7 in current Sign Code)~~ **Continued to October 24, 2016 meeting**

~~c. Definitions (Section 7A.3 in Preliminary Draft; Sections 3.11 in current Sign Code)~~ **Continued to October 24, 2016 meeting**

~~d. Discussion of sign code revisions~~ **Continued to October 24, 2016 meeting**

No action taken.

8. Call to the Audience

Dan Brocius, Smithsonian Institute – Fred Lawrence Whipple Observatory, read a statement from the Arizona Planetary and Space Science and spoke to the need to avoid impacting Tucson's dark skies and that he would like to see the *Reed v. Town of Gilbert* addressed in a timely manner, but not necessarily the other considerations. He requested staff to take time with this effort.

Lee Oler, Citizen Sign Code Committee, spoke to the need to remember the citizens when making decisions and not to rush the process. She also said she has concerns that legibility just means bigger taller signs.

9. Adjournment

Meeting adjourned at 4:57 PM